



**96TH GENERAL ASSEMBLY**

**State of Illinois**

**2009 and 2010**

**HOUSE JOINT RESOLUTION**

**CONSTITUTIONAL AMENDMENT**

**HC0036**

Introduced , by Rep. Bill Mitchell

**SYNOPSIS AS INTRODUCED:**

ILCON Art. V, Sec. 1  
ILCON Art. V, Sec. 2  
ILCON Art. V, Sec. 3  
ILCON Art. V, Sec. 4  
ILCON Art. V, Sec. 6  
ILCON Art. V, Sec. 7  
ILCON Art. V, Sec. 14

Proposes to amend the Executive Article of the Illinois Constitution. Eliminates the office of Lieutenant Governor, beginning with the term of office otherwise commencing in 2011. Effective upon being declared adopted.

LRB096 13424 JAM 28153 e

1                                   HOUSE JOINT RESOLUTION  
 2                                   CONSTITUTIONAL AMENDMENT

3           RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE  
 4 NINETY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE  
 5 SENATE CONCURRING HEREIN, that there shall be submitted to the  
 6 electors of the State for adoption or rejection at the general  
 7 election next occurring at least 6 months after the adoption of  
 8 this resolution a proposition to amend Article V of the  
 9 Illinois Constitution by changing Sections 1, 2, 3, 6, and 7  
 10 and by repealing Sections 4 and 14 as follows:

11                                   ARTICLE V  
 12                                   THE EXECUTIVE

13                   (ILCON Art. V, Sec. 1)

14           SECTION 1. OFFICERS

15           The Executive Branch shall include a Governor, ~~Lieutenant~~  
 16 ~~Governor~~, Attorney General, Secretary of State, Comptroller  
 17 and Treasurer elected by the electors of the State. They shall  
 18 keep the public records and maintain a residence at the seat of  
 19 government during their terms of office.

20           (Source: Illinois Constitution.)

21                   (ILCON Art. V, Sec. 2)

## 1 SECTION 2. TERMS

2 These elected officers of the Executive Branch shall hold  
3 office for four years beginning on the second Monday of January  
4 after their election and, ~~except in the case of the Lieutenant~~  
5 ~~Governor,~~ until their successors are qualified. They shall be  
6 elected at the general election in 1978 and every four years  
7 thereafter.

8 (Source: Illinois Constitution.)

9 (ILCON Art. V, Sec. 3)

## 10 SECTION 3. ELIGIBILITY

11 To be eligible to hold the office of Governor, ~~Lieutenant~~  
12 ~~Governor,~~ Attorney General, Secretary of State, Comptroller or  
13 Treasurer, a person must be a United States citizen, at least  
14 25 years old, and a resident of this State for the three years  
15 preceding his election.

16 (Source: Illinois Constitution.)

17 (ILCON Art. V, Sec. 4)

18 SECTION 4. JOINT ELECTION (REPEALED)

19 ~~In the general election for Governor and Lieutenant~~  
20 ~~Governor, one vote shall be cast jointly for the candidates~~  
21 ~~nominated by the same political party or petition. The General~~  
22 ~~Assembly may provide by law for the joint nomination of~~  
23 ~~candidates for Governor and Lieutenant Governor.~~

24 (Source: Illinois Constitution.)

1 (ILCON Art. V, Sec. 6)

2 SECTION 6. GUBERNATORIAL SUCCESSION

3 (a) In the event of a vacancy, the order of succession to  
4 the office of Governor or to the position of Acting Governor  
5 shall be ~~the Lieutenant Governor,~~ the elected Attorney General,  
6 the elected Secretary of State, and then as provided by law.

7 (b) If the Governor is unable to serve because of death,  
8 conviction on impeachment, failure to qualify, resignation or  
9 other disability, the office of Governor shall be filled by the  
10 officer next in line of succession for the remainder of the  
11 term or until the disability is removed.

12 (c) Whenever the Governor determines that he may be  
13 seriously impeded in the exercise of his powers, he shall so  
14 notify the Secretary of State and the officer next in line of  
15 succession. The latter shall thereafter become Acting Governor  
16 with the duties and powers of Governor. When the Governor is  
17 prepared to resume office, he shall do so by notifying the  
18 Secretary of State and the Acting Governor.

19 (d) The General Assembly by law shall specify by whom and  
20 by what procedures the ability of the Governor to serve or to  
21 resume office may be questioned and determined. The Supreme  
22 Court shall have original and exclusive jurisdiction to review  
23 such a law and any such determination and, in the absence of  
24 such a law, shall make the determination under such rules as it  
25 may adopt.

1 (Source: Illinois Constitution.)

2 (ILCON Art. V, Sec. 7)

3 SECTION 7. VACANCIES IN OTHER ELECTIVE OFFICES

4 If the Attorney General, Secretary of State, Comptroller or  
5 Treasurer fails to qualify or if his office becomes vacant, the  
6 Governor shall fill the office by appointment. The appointee  
7 shall hold office until the elected officer qualifies or until  
8 a successor is elected and qualified as may be provided by law  
9 and shall not be subject to removal by the Governor. ~~If the~~  
10 ~~Lieutenant Governor fails to qualify or if his office becomes~~  
11 ~~vacant, it shall remain vacant until the end of the term.~~

12 (Source: Illinois Constitution.)

13 (ILCON Art. V, Sec. 14)

14 SECTION 14. LIEUTENANT GOVERNOR - DUTIES (REPEALED)

15 ~~The Lieutenant Governor shall perform the duties and~~  
16 ~~exercise the powers in the Executive Branch that may be~~  
17 ~~delegated to him by the Governor and that may be prescribed by~~  
18 ~~law.~~

19 (Source: Illinois Constitution.)

20 SCHEDULE

21 This Constitutional Amendment takes effect upon being  
22 declared adopted in accordance with Section 7 of the Illinois  
23 Constitutional Amendment Act and applies beginning with the

1 term of office otherwise commencing in 2011.